

**MARIN COUNTY CONGESTION MANAGEMENT AGENCY,
MARIN COUNTY BOARD OF SUPERVISORS, AND
MARIN COUNTY TRANSIT DISTRICT
JOINT MEETING MINUTES**

Thursday, January 29, 2004

Marin County Board of Supervisors Chambers, San Rafael, California

Representatives Present: Susan Adams, Marin County Board of Supervisors
Al Boro, San Rafael City Council
Peter Breen, San Anselmo Town Council
Hal Brown, Marin County Board of Supervisors
Pat Eklund, Novato City Council
Alice Fredericks, Tiburon Town Council
Melissa Gill, Corte Madera Town Council
Steve Kinsey, Marin County Board of Supervisors
Joan Lundstrom, Larkspur City Council
Bruce Sams, Belvedere City Council
Dick Swanson, Mill Valley City Council
Lew Tremaine, Fairfax Town Council

Representatives Absent: Amy Belser, Sausalito City Council
Tom Byrnes, Ross Town Council
Cynthia Murray, Marin County Board of Supervisors
Annette Rose, Marin County Board of Supervisors

Staff Members Present: Craig Tackabery, CMA Executive Director
Art Brook, CMA Deputy Executive Director
Dean Powell, Principal Transportation Planner, Marin County DPW
Jack Baker, Senior Transportation Engineer, Marin County DPW
Tho Do, Associate Civil Engineer, Marin County DPW
Jason Nutt, Traffic Operations Engineer, Marin County DPW
JeriLynne Stewart, Recording Secretary

Chairman Kinsey called the Joint Committee Meeting to order at 7:40 p.m.

Chairman Kinsey welcomed Corte Madera Town Council Member Melissa Gill as a new CMA representative.

1. BOARD/AGENCY MEMBER MATTERS NOT ON THE AGENDA

Director Lundstrom expressed concern about how document-heavy CMA information packets have become and suggested it would be prudent to summarize more and reference certain documents, not attach them.

2. EXECUTIVE DIRECTOR'S REPORT

a.) Proposed State Budget for FY 2004-05

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Executive Director Tackabery said the Governor's proposed State Budget was included in documents provided, noting that the budget proposes to repeal the special statutory designation of the Traffic Congestion Relief Program (TCRP) projects. There are 3 projects in Marin: 1) Gap Closure, which has \$12.25M unallocated, 2) Marin/Sonoma Narrows, \$15.4M unallocated, and, 3) SMART, which has \$29.3M unallocated.

b.) MTC's 2003 Bay Area Transportation State of the System Report

Executive Director Tackabery reported that the Metropolitan Transportation Commission (MTC) has issued their annual State of the System. It includes a variety of information, including that 101 southbound in San Rafael, remains in the Top 10 of freeway congestion locations in the Bay Area.

Chairman Kinsey introduced MTC's Rebecca Long, and asked her to report on what the Commission is planning in light of the State's proposed budget reductions. She reported that MTC will oppose the Governor's proposal to eliminate the TCRP and is pushing to ensure projects that have been allocated funding still receive that funding.

3. REPORTS FROM SUBCOMMITTEES

c.) SMART – Supervisor Rose

Lillian Hames, Program Director reported that she is scheduling a meeting between the SMART Board and members of CMA to speak about joint funding issues. SMART continues to work with state legislators and MTC to retain its allocated TCRP funding. Ms. Hames expressed concerns about the timeliness of finishing the Environmental Impact Report and field analyses by March 2004. SMART is nearing the final stages of having individual station layouts and footprints.

d) Marin-Sonoma Narrows Policy Advisory Group – Supervisor Murray

The PAG did not meet recently.

4. PRESENTATION OF REGIONAL MEASURE 2 (SB 916, PERATA) AND MOTION TO SUPPORT

Rebecca Long of MTC presented an overview of Regional Measure 2.

Supervisor Adams asked what would happen if a project did not move forward. Ms. Long responded that MTC would have to consult with Project Sponsors to present a full financial plan if a particular project proved troublesome, then MTC would hold a Public Hearing. Next, if agreed that funds could be better spent elsewhere, funding could be reassigned yet they would have to be reassigned to another regional transit project in that bridge corridor.

M/s Swanson and Lundstrom motion to support Regional Measure 2. Motion passed 12/0/0.

5. TRANSPORTATION SALES TAX EXPENDITURE PLAN – REQUEST FOR QUALIFICATIONS MAILING, DISCUSSION ON LOCAL TRANSPORTATION AUTHORITY (LTA) FORMATION PROCESS, AND DIRECTION ON INCORPORATION OF CMA INTO THE LTA

Executive Director Tackabery said the schedule of events planned in order to take the Plan to the ballot in November is extensive, and staff needed direction tonight on the membership of the LTA and whether to incorporate the CMA into the LTA, so that appropriate documentation can be prepared.

Dean Powell, Principal Transportation Planner, said that 275 requests for qualifications (RFQ) were mailed for various services, including transportation planning, polling, outreach and legal support services. RFQ's are due February 3, 2004, and the selection process is to be completed by end of February.

Mr. Powell outlined the schedule of events planned that would lead to the formation of a Local Transportation Authority (LTA), as follows:

- February: Sales Tax Subcommittee meets to review direction gleaned from 1-22-04 workshop; BOS will be asked to form an LTA and dissolve existing authority created in 1998, with concurrence on the membership of the LTA from the cities and towns; draft Expenditure Plan will be reviewed at February's CMA meeting.
- March: Initiate public outreach; make presentations to all city and town councils; get feedback. Seek concurrence on the membership decisions for the LTA.
- April: Presentations will conclude; a special CMA meeting will be held April 8, 2004 to discuss full findings with feedback from cities and towns. The first meeting of the LTA will **be held on** 4-22-04, at which time the chairman and vice chairman will be elected, adoption of rules and procedures will be discussed, and details of term membership.
- May: Adopt and approve final Expenditure Plan, and take to city and town councils for approval.
- June: BOS to approve final plan; LTA will adopt it.
- July: BOS to place adopted plan on ballot for November.

There was some discussion between Board members and Directors regarding governance rules for the LTA. Chairman Kinsey referred to the statutory limitations of the LTA and said that he will appoint a subcommittee to assist staff and requested that those members interested in volunteering to let him know.

Supervisor Adams requested staff confirm that the Safe Routes to Schools program is an eligible expense. There was consensus that the CMA should be incorporated into the LTA and that the membership of the LTA should be the five members of the Board of Supervisors and one member from each city or town.

6. OPEN TIME FOR ITEMS NOT ON THE AGENDA

Patrick Murphy of the San Rafael Neighborhood Association, complimented Chairman Kinsey, former Executive Director Farhad Mansourian and current Executive Director Craig Tackabery about the direction of last week's Transportation Workshop, and the CMA's efforts to abate the noise along the Highway 101 corridor in San Rafael. Mr. Murphy reminded the Joint Board that 6,000 San Rafael residents are impacted by the noise of the Highway and are supportive – as is the San Rafael business community – of the Sales Tax Expenditure Plan.

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Chairman Kinsey called to order the meeting of the Congestion Management Agency at 8:50 PM.

7. AGENCY MEMBER MATTERS NOT ON THE AGENDA

None.

8. EXECUTIVE DIRECTOR'S REPORT

Chairman Kinsey provided some background on the Executive Committee. The CMA Executive Committee was originally formed by the action of a former Chairman, and there is no specific definition of an "Executive Committee" in the Joint Powers Authority. He questioned whether the CMA desired the definition of the "Executive Committee" be formalized, as well as its representation. Chairman Kinsey said the Committee has operated in a manner that allows all members and representatives to be heard, and requests that any Directors let him know their feelings on this matter.

9. AUTHORIZE CHAIRMAN TO EXECUTE THE MTC-MARIN CMA FY 2003-04 FUNDING AGREEMENT

Executive Director Craig Tackabery briefly explained that the agreement is for a 3-year period.

M/s Swanson and Breen motion to adopt the agreement. Motion passed 10/0/0.

10. REPORT ON THE 101 GAP CLOSURE PROJECT STATUS AND STIP AMENDMENT

Executive Director Tackabery said Phase II, the Corte Madera Creek Segments bids were opened and that the contract is scheduled to be awarded this week. He said the STIP Amendment approved by the CMA in December, received MTC approval and is scheduled for consideration by the CTC on February 26.

Director Boro commented on a Marin Independent Journal article pertaining to a median barrier on U.S. 101 through Tiburon and said the \$9 million for this project and wondered if the funds could have been used for the Gap Closure shortfall. Executive Director Tackabery commented that this is a project in the Caltrans maintenance program, the SHOPPP. Other Directors expressed interest in knowing more about the SHOPPP program. Executive Director Tackabery agreed to provide information on the SHOPPP at a future meeting.

11. AUTHORIZE CHAIRMAN TO EXECUTE A CALTRANS-MARIN CMA FINANCIAL AGREEMENT ON THE 101 GAP CLOSURE PROJECT

Executive Director Craig Tackabery explained that this finalizes discussions and policy directions over the past few months.

M/s Lundstrom/Alice Fredericks to approve the financial agreement. Motion passed 10/0/0.

12. ADOPTION OF THE FINAL 2003 MARIN COUNTY CONGESTION MANAGEMENT PROGRAM

Deputy Executive Director Art Brook gave an overview of the written comments received on the plan and the staff responses. Directors expressed an interest in receiving more information about the SHOPPP projects provided by Caltrans to the CMA included in the plan. Executive Director Tackabery said that this request is similar to the request under Item 10. and that he believes Caltrans would be willing to attend CMA meetings and provide information. There was consensus among the Directors that they would like Caltrans to provide presentations at future meetings.

In response to Director comments on the CMP update process, Executive Director Tackabery suggested that staff will provide an opportunity for input on the process at the start of the preparation of the 2005 CMP.

M/s Eklund/Tremaine to approve the 2003 Congestion Management Plan. Motion passed 10/0/0.

13. ADOPTION OF THE COUNTY OF MARIN 2004 STIP PROJECT PRIORITIES

M/s Swanson/Lundstrom to:

1. Adopt the resolution requesting MTC forward Marin's STIP priorities to the CTC.

2. Adopt a commitment to fund those lower priority local projects that were funded in the 2002 STIP and now deleted in the 2004 STIP with other local funds (TE, STP, and CMAQ) as they become available. Also, Sausalito will be given first priority, since they have already spent funds expecting a STIP reimbursement that will not occur due to CTC actions.
3. Direct staff to pursue with MTC an extension of the temporary commitment of CMAQ funds being used to keep the project fully funded until December, 2004, to allow the CMA time to pursue funding for this shortfall through a transportation sales tax.
4. Authorize the Executive Director to work with the CTC, MTC and Caltrans to implement the priorities contained in the 2004 STIP proposal and to make minor adjustments to funding amounts.

Motion passed 10/0/0.

14. RTP AND TRANSPORTATION 2030 REPORT

Executive Director Craig Tackabery provided an overview of the CMA Guidelines for the Phase 2 effort, including the provision to provide outreach to low-income and minority communities. He reported that in Phase 1 MTC had used an RFP process and selected Grassroots Leadership Network to develop a workshop in the Canal neighborhood of San Rafael. He suggested that the CMA waive the RFP process, use MTC's results, and that staff negotiate a contract with Grassroots Leadership Network for a workshop in the Canal.

Director Eklund requested that consideration also be given to workshops in Novato and Marin City.

M/s Boro/Fredericks to waive the RFP process. Motion passed 10/0/0.

15. MARIN COUNTY TRANSIT DISTRICT STATUS REPORT

Executive Director Craig Tackabery provided an overview of the schedule and process MCTD and GGT are undergoing to evaluate small bus service for some routes.

16. OPEN TIME FOR ITEMS NOT ON THE AGENDA

Public comments included comments on an upcoming multi-modal workshop on February 12, the Cal Park Hill tunnel project, funding for bike projects and the Countywide Planning Agency.

Chairman Kinsey adjourned the meeting at 10:10 PM.